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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,539	06/04/2001	Charles E. Hill	10252-0020	7581

27268 7590 06/28/2005

BAKER & DANIELS LLP  
300 NORTH MERIDIAN STREET  
SUITE 2700  
INDIANAPOLIS, IN 46204

EXAMINER

AL HASHEMI, SANA A

ART UNIT PAPER NUMBER

2161

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<p align="center"><b>Office Action Summary</b></p>	<p><b>Application No.</b></p> <p>09/873,539</p>	<p><b>Applicant(s)</b></p> <p>HILL, CHARLES E.</p>	
	<p><b>Examiner</b></p> <p>Sana Al-Hashemi</p>	<p><b>Art Unit</b></p> <p>2161</p>	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 April 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22,26-32,36-43 and 47-59 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-22,24-32,36-43 and 45-59 is/are allowed.
- 6) ☒ Claim(s) 23 and 44 is/are rejected.
- 7) ☒ Claim(s) 24,25,45 and 46 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***DETAILED ACTION***

1. This action is issued in response to applicant's appeal brief filed 4/24/2005.
2. Claims 7, 15, and 23, are amended. No claims were added. None were deleted.
3. Claims 1- 22, 26-32, 47-59, are allowed. Claims 23-25, 36-46, are rejected. Claims 33-35 are canceled.

Prosecution is hereby reopened.

Applicant may obtain an extension of time under 37 CFR 1.136(a) to file the appropriate appeal fee. The date on which the notice of appeal, the appeal fee, the petition under 37 CFR 1.136(a), and the petition fee are filed will be the date of the reply and also the date for determining the period of extension and the corresponding amount of the fee. In no case may an applicant respond later than the maximum SIX MONTH statutory period or obtain an extension pursuant to 37 CFR 1.136(a) for more than FIVE MONTHS beyond the date of reply set in an Office action.

In view of the appeal filed on April 14, 2005, PROSECUTION IS HEREBY REOPENED. Non-final action set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

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If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 23, and 44, are rejected under 35 U.S.C. 102(e) as being anticipated by Li et al (Li hereinafter) (US Patent No. 6,631,496).

Regarding Claims 23, and 44, Li discloses a system for managing stored data files for a web browser, the system comprising:

a storage area on a computer storage medium, the storage area storing the data files (Col. 4, lines 21-25, Li);

a computer configured to access the storage area (Col. 4, lines 26-45, Li);

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a database configured to index data files stored in the storage area during a single browsing session (Col. 4, lines 39-45, Li); and

a program executable on the computer configured to search the database and identify data files stored in the storage area and indexed by the database (Col. 7, lines 14-23, Li).

***Allowable Subject Matter***

Claims 24, 25, 45, and 46, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: the prior art fails to disclose or suggest the claimed provision the access types include at least one of: program configured to delete data files indexed in the database upon terminating the single browsing session.

**Allowable Subject Matter**

4. Claims 1- 22, 26-32, 47-59 are allowed over the prior art of record.
5. Regarding Independent Claims 1, 26, 47, and 49, the prior art fails to disclose or suggest the claimed provision the access types include at least one of: generating at least one automated search string, the program configured to search the database index according to the automated search string and identifying data files with the automated search string and to remove at least

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one data file from the storage are based on those data files identified from the search string, as claimed in conjunction with remaining claims provisions.

6. Regarding Independent Claims 36, the prior art fails to disclose or suggest the claimed provision the access types include at least one of: a program configured to identify data files associated with the first list of network address and delete data files not associated with the first list of network addresses, as claimed in conjunction with remaining claims provisions.

7. The dependent claims, 2-22, 27-21, 36-43, 48, 50-59 being further limiting to the independent claims, definite and enabled by the Specification are also allowed.

#### **Comments**

**The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in an Office action. A fully responsive reply must be timely filed to avoid abandonment of this application.**

**Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."**

As allowable subject matter has been indicated, Applicant's response must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP section 707.07(a).

***Other Prior Art Made of Record***

1. Li et al. (US Patent No. 6,631,496) discloses system for personalizing organizing and managing web information.
2. Depledge et al. (US Patent No. 5,899,988) discloses bitmapped indexing with high granularity locking.
3. Kredo et al (US Patent No. 6,449,636) discloses a system and method for creating a dynamic data file from collected and filtered web pages.
4. Change et al. (US Patent No. 4,510,567) discloses a qualifying and sorting file record data
5. Bowman et al. (US Patent No. 6,169,986) discloses a system and method for refining search queries.
6. Durham et al. (US Patent No. 6,330,566) discloses an apparatus and method for optimizing client-state data storage.
7. McDonough et al (US Patent No. 5,991,878) discloses a controlling access to information.
8. Purcell (US Patent No. 6,286,138) discloses a technique for creating remotely updatable programs for use in a client/server environment

***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

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***Points of Contact***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sana Al-Hashemi whose telephone number is (571) 272-4013. The examiner can normally be reached on Monday - Friday from 8:00 AM to 4:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (571) 272-4023. Any response to this office action should be mailed to: The Commissioner of Patents and Trademarks, Washington, D.C. 20231. Or telefax at phone number (703) 746-9098. For formal or draft communications, please label "PROPOSED" or "DRAFT". Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive, 6<sup>th</sup> Floor Receptionist, Arlington, Virginia. 22202.

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Sana Al-Hashemi  
Patent Examiner  
Technology Center 2100  
June 17, 2005



ALFORD KINDRED  
PRIMARY EXAMINER



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